



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

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OFFICE OF
AIR, WASTE AND TOXICS

NOV 23 2011

Steve Landino, Chief
Washington State Branch
Habitat Conservation Division
NOAA National Marine Fisheries Service
510 Desmond Drive S.E. – Suite 103
Lacey, WA 98503-1273

Ken Berg, Manager
Western Washington Office
U.S. Fish and Wildlife Service
510 Desmond Drive S.E. – Suite 102
Lacey, WA 98503-1273

Re: Endangered Species Act (ESA) Biological Assessment for the Superfund Removal Action at the Jorgensen Forge Corporation Facility, Jorgensen Forge Facility, 8531 East Marginal Way South, Seattle, Washington, Comprehensive Environmental Response, Compensation, and Liability Act Administrative Order on Consent (EPA Docket No. CERCLA-10-2003-001)

Dear Mr. Landino and Mr. Berg:

As part of the EPA Superfund cleanup of the Lower Duwamish Waterway Superfund (LDW) Site, The Jorgensen Forge Facility, identified as Early Action Area 4 (EAA-4) of the LDW Site, will perform a sediment removal action of contaminated sediments. Sediments are primarily contaminated with PCBs and metals. This non-time-critical removal action at EAA-4 is considered an agency action under ESA. Work will be performed pursuant to an Administrative Settlement Agreement and Order on Consent for Removal Action (June 30, 2003). A Biological Assessment (BA) has been prepared for this project (dated November 2011; Enclosure 1). This BA was developed using the best available scientific and technical data. EPA has also prepared an evaluation of Essential Fish Habitat. In accordance with Section 7 of the ESA, we would like to initiate formal consultation with NOAA/NMFS and USFWS for this project. Electronic and hard copies of these documents will be forwarded to Zach Hughes and Ryan McReynolds of your respective staff. At the conclusion of the consultation, EPA requests a Biological Opinion (BO) from the Services.

For the EAA-4 removal action, the BA determined:

- The removal action may affect and is likely to adversely affect Puget Sound Chinook salmon, Puget Sound steelhead and Coastal Puget Sound bull trout
- The removal action may affect, but is not likely to adversely affect designated critical habitat for Puget Sound Chinook salmon.

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- In the event that critical habitat for Puget Sound steelhead is either proposed or designated in the future, it is further concluded that this removal action would not adversely modify critical habitat, if proposed, for Puget Sound steelhead, and may affect, but would not be likely to adversely affect critical habitat, if designated, for Puget Sound steelhead.
- The removal action may affect but is not likely to adversely affect designated critical habitat for Coastal Puget Sound bull trout.
- The Essential Fish Habitat (EFH) assessment determined the action will not adversely affect Pacific Coast salmon EFH, Coastal Pelagic EFH, nor West Coast Groundfish EFH.

Should you have questions or comments, please contact me by phone at 206-553-4166 or by email at blocker.shawn@epa.gov.

Sincerely,



Shawn Blocker
Project Coordinator
RCRA Corrective Action and Permits Team

Cc w/enclosures:

Zach Hughes – NOAA/NMFS
Ryan McReynolds – USFWS

Cc w/o enclosures:

John Keeling, – Ecology NWRO
Amy Essig Desai – Farallon Consulting
Ryan Barth - Anchor Environmental
David Templeton – Anchor Environmental
Gil Leon – Jorgensen Forge
James Rasmussen – DRCC
Glen St. Amant – Muckleshoot Tribe
Allison O'Sullivan – Suquamish Tribe
Jessica Winter – NOAA
John Wakeman – USACE